

**Minutes  
Newton Planning Commission  
April 27, 2004  
Council Chambers  
City Hall**

The regular meeting of the Newton Planning Commission was held at 7:30 p.m. on April 27, 2004 in the Council Chambers at City Hall.

**Members**

**Present:** Brevard Arndt  
Gary Corne  
Kent Elliott  
Stan Gabriel  
Clinton Sigmon  
Ken Simmons  
Stan Winstead

**Members**

**Absent:** None

**Staff**

**Present:** Glenn Pattishall, AICP Planning Director  
Alex Fulbright, AICP Planner  
Richard Crump, Planner

**Others:** Ken Johnson

**Chairman Arndt** called the meeting to order.

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**Item 2: Approval of Minutes February 24, 2004 Meeting**

**Chairman Arndt** asked for consideration of the minutes as presented. There being no corrections, he ruled that the minutes were approved as presented.

**Item 3: Text Amendment #2004-02 Dumpster Screening**

**Chairman Arndt** called to order a Public Hearing as scheduled and advertised and recognized Richard Crump. **Mr. Crump** read from his April 21, 2004 memo to the Planning Commission stating that there appeared to be a hardship in requiring screening to match the building exterior in certain circumstances. He said the proposed text amendment wording would provide flexibility on screening requirements for dumpsters. He displayed pictures of the Food Lion Shopping Center on Hwy. 10 West. He said the staff supports the technical amendment in certain cases. **Mr. Winstead** questioned "compatible" wording in the draft ordinance. **Mr. Pattishall** explained that would be "some materials". **Kent Elliott** said he was concerned with the enclosure avoidance and the potential for trash being blown onto adjoining properties. **Mr. Pattishall** said each case would be dependent on the circumstances. He said that staff would try to avoid trash leaving the dumpster or the site with whatever the ruling would be. **Mr. Winstead** said he didn't want to see abuse of the ordinance. **Mr. Arndt** questioned the use of "unique". **Mr. Corne** felt there were other modifying words in the draft text amendment that would govern how screening is provided such as topo, building layout, etc. and felt that it was sufficient. **Mr. Arndt** said he had no problem with the intent. **Mr. Winstead** suggested that landscaping be

required for alternate screening. With no further discussion, motion was made by **Mr. Corne**, seconded by **Mr. Sigmon**, and unanimously adopted that the proposed text amendment be recommended to the City Council for approval.

#### **Item 4: New Business**

**Mr. Pattishall** suggested that since there was a person in the audience present to talk about the new business item, that he be heard before old business was discussed. **Chairman Arndt** agreed to do this. It was the consensus of the Planning Commission that **Mr. Ken Johnson** be recognized to discuss a possible text amendment.

**Mr. Pattishall** explained the intent of the M-1 Zoning District, stating that there were no skating rinks permitted. He said that Mr. Johnson was looking at locating a large skating facility in excess of 50,000 square feet in one building on a site in the M-1 Zoning District off of Hwy. 70 West. He suggested that the Planning Commission consider the appeal from Mr. Johnson to amend the zoning ordinance to define a certain type of facility such as a large entertainment or sports facility as a special use permit or use by right. He questioned if the Planning Commission was interested and stated Mr. Johnson wanted to make his case.

**Mr. Arndt** recognized Mr. Ken Johnson. **Mr. Johnson** said that he is looking at a ten-acre site which would ultimately have three buildings, the first building, 58,000 square feet, immediately. It would be 50 feet in height in its roof peak. The second building would be built within a year upon completion of the first building and would contain 32,000 square feet and the third and final building within ten years would contain 32,000 square feet. Mr. Johnson displayed a model explaining the construction and operational aspects.

**Mr. Johnson** also explained similarities to large sports facilities such as football, baseball and soccer, stadiums in terms of dimensions. He said it would be the largest single ice skating surface in the world. He said the uses would be for speed skating, hockey, figure skating, would be home to the Appalachian State University Hockey team, and some Carolina Hurricane exhibitions. He explained there would be bleacher options and party rooms within the facility, as well. He said the Phase II building would be for inline skating and roller hockey and the Phase III building would be for an ice rink and a possible outside skateboard park. He said that the anticipated occupancy would be approximately 1,000 with 2,500 max.

**Mr. Corne** questioned where Mr. Johnson was in the selection process and how quickly is the text amendment needed, and did he have a firm commitment from the bank. **Mr. Johnson** responded that he needed something done as soon as possible, that he was ready to start immediately, and that it would take three months to get the building and he needed to get the land before he could do anything else. He said he does not have a specific bank agreement. **Mr. Corne** said that he did not want to approve the text amendment and the project not happen. **Mr. Johnson** explained his complications in purchasing a site off of Hwy. 70 West and Hughey Drive and other complications. After general discussion, it was the consensus of the Planning Commission that the staff schedule a public hearing and prepare a draft text amendment to allow a large sports facility as a special use permit in the M-1 Zoning Districts.

**Mr. Arndt** said that he felt the special use permit was the best way to handle, especially in the St. Paul's area and may even spark interest in other similar sports facilities.

**Mr. Sigmon** said he felt the facility could bring in associated uses that warehouse or manufacture.

**Mr. Winstead** said the potential for indoor soccer is huge and he was in favor. He said the City needed to do whatever is necessary to make the project happen.

**Mr. Corne** said that he agreed whatever is needed as soon as possible.

**Item 5: Old Business - Update on Area Specific Plan #1**

**Mr. Pattishall** apologized for delay in the progress. He explained there were many other priorities had been established during the process which the staff had to work on and that staff was now working on finalizing a draft.

**Mr. Fulbright** went over his permit analysis. He said since 1981, 45 percent of all residential permits within the City of Newton were located in Area Plan #1 and that the majority were for mobile homes. He indicated that there were several other analyses that had been extrapolated from data that would be included in the plan that would help to form and/or shape policy and decision-making.

**Mr. Pattishall** said that it was his hope that staff would have a draft for consideration at the June 2004 Planning Commission meeting.

**Item 6: Reports**

**Mr. Pattishall** went over the February and March Permit Reports and the Current Planner's Reports.

**Item 7: Adjournment**

With no further discussion, meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Glenn J. Pattishall/AICP  
Secretary

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